

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Clarissa D. Brown,)	
)	C.A. No. 3:10-2681-HMH-JRM
Plaintiff,)	
)	
vs.)	OPINION AND ORDER
)	
Michael J. Astrue, Commissioner of)	
Social Security Administration,)	
)	
Defendant.)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Joseph R. McCrorey, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. Clarissa D. Brown (“Brown”) seeks judicial review of the Commissioner of Social Security’s (“Commissioner”) denial of her applications for disability insurance benefits (“DIB”) and supplemental security income (“SSI”) under Titles II and XVI of the Social Security Act. Magistrate Judge McCrorey recommends affirming the Commissioner’s decision. Brown filed objections to the Report and Recommendation on February 13, 2012.

The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the magistrate judge or recommit the matter with instructions. See 28

U.S.C. § 636(b)(1); Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992).

In light of this standard, the court has reviewed the cited cases and the magistrate judge's analysis. The court has carefully reviewed, de novo, the Report and Recommendation and the specific objections. After review of the Report and objections thereto, the court agrees with the conclusions of the magistrate judge and adopts the Report and Recommendation. Therefore, for the reasons articulated by the magistrate judge, the Commissioner's decision is affirmed.

It is therefore

ORDERED that the Commissioner's decision is affirmed.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
February 16, 2012